

UNITED STATES DISTRICT COURT
Western District of Massachusetts

KEITH BRIAN ASKINS

Plaintiff

V.

WILLIAM C. WERNICKI TRUCKING

Defendant

Civil Action No.: 04-30178-KPN

DEFENDANT WILLIAM C. WERNICKI
TRUCKING'S MOTION FOR
ENLARGEMENT OF TIME ON
CONSENT

The undersigned counsel for the defendant, William C. Wernicki Trucking, with the consent of counsel for all parties, hereby moves for a partial enlargement of the scheduling order approved by the Court on January 7, 2005 so as to extend by 60 days the time limitations related to the completion of all discovery and the time limitations relating to expert discovery. The request for an enlargement of time would result in the following time deadlines:

1. All discovery shall be completed by October 8, 2005;
2. The plaintiff shall designate and disclose information regarding his trial experts as required by Federal Rules of Civil Procedure 26(a)(2) by July 6, 2005 and any depositions of such experts shall be completed by August 7, 2005;
3. The defendant shall designate and disclose information regarding its trial experts as required by Federal Rules of Civil Procedure 26(a)(2) by September 7, 2005 and any depositions of such experts shall be completed by October 8, 2005.

In support hereof, the undersigned counsel represents that the parties have propounded interrogatories and request for production. The defendant was required to file a motion to compel the plaintiff to answer interrogatories and requests for production. The defendant received the plaintiff's answers to interrogatories and request for production on June 7, 2005. The plaintiff's delay in responding to interrogatories and requests for production has resulted in the delay of the taking of necessary depositions. The defendant has scheduled the deposition of the plaintiff to take place on July 18, 2005. The parties anticipate that additional depositions of witnesses will be scheduled after the plaintiff's deposition. The parties will need the additional sixty (60) days as requested to complete these depositions.

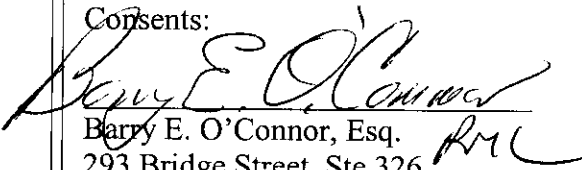
This is the first motion for extension of time relating to this scheduling order in this case.

Counsel for the plaintiff consents to the enlargement of time sought by this Motion.

ATTORNEY FOR THE PLAINTIFF

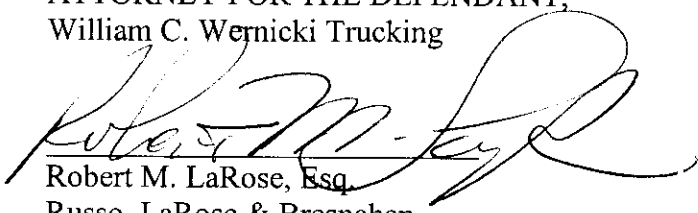
Keith Brian Askins

Consents:


Barry E. O'Connor, Esq.
293 Bridge Street, Ste 326
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(413) 746-0060
BBO# 548570

ATTORNEY FOR THE DEFENDANT,

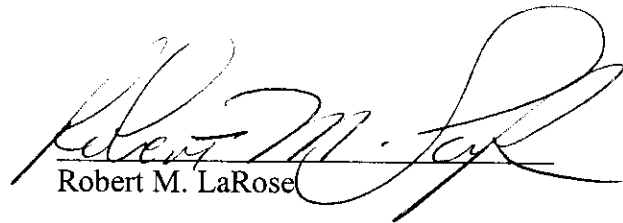
William C. Wernicki Trucking


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CERTIFICATE OF SERVICE

I, Robert M. LaRose, Esq., do hereby certify that a copy of this Motion for Enlargement of Time has been sent to the following counsel of record via first class mail on July 5, 2005, as follows:

Barry E. O'Connor, Esq
293 Bridge Street, Suite 326
Springfield, MA 11103



Robert M. LaRose